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Attorneys for Plaintiff LEHMAN BROTHERS  
HOLDINGS, INC.

UNITED STATES DISTRICT COURT

NORHTERN DISTRICT OF CALIFORNIA—SAN JOSE DIVISION

LEHMAN BROTHERS HOLDINGS,  
INC,

Plaintiffs,

vs.

FIRST FINANCIAL LENDER aka  
FIRST FINANCIAL CAPITAL,

Defendant.

CASE NO. **C09-00545**

**PVT**

**DISCLOSURE STATEMENT  
AND NOTICE OF  
INTERESTED PARTIES**

Plaintiff Lehman Brothers Holding Inc., ("LBHI"), by and through its undersigned counsel, pursuant to Fed. R. Civ. P 7.1 and L.R. 7.1-1, files this Disclosure Statement, stating as follows:

1. LBHI is a Delaware corporation with its principal place of business in New York. LBHI is a publicly-traded company whose shares are traded on the New York Stock Exchange. No corporation or entity directly or indirectly owns 10% or more of the issued and outstanding Common Stock of LBHI.

**FILED**

2009 FEB -6 A 10:48

RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

**E-filing**

**ADR**

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Denver-Los Angeles

**FAXED**

2. Commencing on September 15, 2008 and periodically thereafter, LBHI and certain of its affiliates filed voluntary petitions for protection under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"). The chapter 11 cases of LBHI and its debtor affiliates are being jointly-administered for procedural purposes under case number 08-13555 (JMP). LBHI is authorized to operate its businesses and manage its properties as a debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code and proceeds in this action as a debtor-in-possession.

3. Pursuant to section 541 of the Bankruptcy Code, the filing of a petition under chapter 11 of the Bankruptcy Code creates an estate, which is comprised of all of the debtor's property, wherever located and by whomever held, including the causes of action asserted in the instant case. The assets of LBHI's estate will be distributed to LBHI's creditors pursuant to a chapter 11 plan and order of the Bankruptcy Court.

These representations are made to enable the Court to evaluate possible disqualification or recusal. Counsel shall comply with his continuing obligation to amend this certification as more information becomes available regarding parties the holding a pecuniary interest in the outcome of this case.

DATED: February 5, 2009.

REILLY POZNER LLP

s/ Michael A. Rollin  
 Michael A. Rollin  
 Daniel M. Reilly  
 Matthew D. Spohn  
 Attorneys for Plaintiff  
 LEHMAN BROTHERS HOLDINGS, INC.